

Case # 20-14

OCT 11 2019

October 10, 2019

Board Members:

The expired supplies have been destroyed--pictures were taken and sent to Victoria by e-mail--sharps placed in containers and sent to our cremation service(Lasting Paws) and all paper goods went in the trash.

The control drugs listed that were expired were located in a locked box--not accessible to the public. They are being taken care of and sent to the proper authorities by Dr. Guminiski.

The log books for surgical and anesthetic procedures were supposed to have been entered by the surgical tech--why this was not done is a question. It has since been remedied. The new surgical tech is making sure that all procedures are entered--amount of drugs used, post surgery recovery observed and entered in the records--smooth, mild or rough--and are being checked by Dr. Kern weekly.

The controlled drugs and record books have been taken over by Dr. Guminiski. The records have been brought up to date and all past drugs used have been accounted for by checking client records and noted.

At this time, entries are made in a dispensing book at the time the drug is dispensed--each entry has the animal's name, client's name and address, amount dispensed, and the amount remaining is recorded.

I disagree about the filthy conditions but agree about the clutter. The floors are swept and mopped two times daily--at noon by the front office people and at night by the kennel people --this includes the exam rooms and waiting room floors. Exam lights in the exam rooms are being dusted daily by the technician on duty for the day--this also includes the arms of the lights. The lights in surgery and back examination areas are now likewise being dusted, including the arms that hold the lights, two times weekly. Stainless steel tables in back are cleaned nightly and the dental table steel mechanic tool box is being wiped down after every dental procedure.. The clutter problem has been resolved--all containers on top of cabinets are gone.

The 1/2oz bottles which were unlabelled in the pharmacy have been destroyed--the professional bottles containing each substance are the only thing on the shelves.

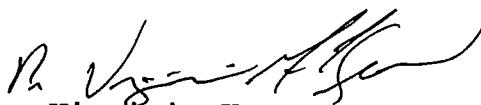
Trach tubes and anesthetic delivery tubes are rinsed with tap water and submerged in Cetylicide dilution for thirty minutes and flushed again with tap water. The delivery tubes are hung up to dry and the trach tubes are placed in a drying rack overnight and then placed in a drawer. Tubes noted by the inspector were dry, not wet as indicated. They are now separated completely by size in each plastic bin. No more clutter.

I am very careful about the use of any anesthetic instruments having cultured many human surgical suite as a medical technologist prior to entering veterinary school. I was a registered ASCP technician and worked in human hospitals prior to entering veterinary school.

Medical records have been completely revamped. Complete exam stickers are used in each chart and they are also placed in the surgical charts that are pulled for the day. Surgical exams are done two hours prior to surgical procedure--they include weight, temperature, respiration and pulse, which are recorded. Stickers are being used for all vaccines, noting the area given, type of vaccine(stickers from vaccine bottles are placed in the charts) for each animal seen.

Post surgical instructions have been sent home with the owners since the day I opened East Mesa Animal Hospital, but not placed in the chart. A copy is now being placed in the chart of each case being released.

Waiting for your answer,



Dr. Virginia Kern

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., STE. 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1-PET (1738) • FAX (602) 364-1039

VETBOARD.AZ.GOV

INVESTIGATIVE DIVISION REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: Investigative Division

RE: Case: 20-14

Complainant(s): Arizona State Veterinary Medical Examining Board

Respondent(s): Virginia Kern, D.V.M. (License: 0781)

SUMMARY:

Date Board Opened Case: 8/21/19

Board Discussion: 11/20/19

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018

(Lime Green); Rules as Revised

September 2013 (Yellow)

On August 21, 2019, the Board voted to open an investigation regarding Respondent's non-compliant premises.

On July 29, 2019, an unannounced premises inspection was conducted. Multiple potential violations were found; many violations were the same violations that were found on an inspection conducted October 9, 2014, which Respondent advised had been corrected.

PROPOSED 'FINDINGS of FACT':

1. On August 21, 2019, the Board opened an investigation after reviewing premises inspections conducted at East Mesa Animal Hospital.
2. On August 29, 2019, a Letter of Inquiry was sent to Respondent regarding the premises inspections and multiple repeat potential violations found, which the Board was advised had been corrected. The following are the repeated potential violations found at the inspection conducted on October 9, 2014 and July 29, 2019:
 - a. Large quantity of expired supplies;
 - b. Large quantity of expired controlled drugs and pharmacy items;
 - c. Anesthesia log missing entries, not being properly maintained;
 - d. Controlled substance inventory and dispensing log issues;
 - e. Controlled drugs not locked up when not in use;
 - f. Unsanitary, dirty conditions;
 - g. Repackaged pharmacy items not properly labeled;
 - h. Endotracheal tubes not properly cleaned; and
 - i. Medical record keeping issues:
 - Inconsistency in documenting exam results;
 - Inconsistency in documenting routes of administration;
 - Inconsistency in documenting exam results 6 hours prior to general anesthesia or surgery; and
 - Inconsistency in documenting discharge instructions were provided for hospitalized or surgical patients.
3. On October 11, 2019, Respondent submitted a response stating that all the potential violations had been corrected; pictures had been previously submitted in response to the July 29, 2019 inspection.
4. Respondent did not state why the potential violations had not been corrected as previously stated. She did indicate that with respect to the anesthesia logs, the previous surgical tech was supposed to be maintaining the logs, but was not. The new surgical tech is making sure all procedures are recorded and maintained in accordance with the Veterinary Practice Act.
5. Additionally, Respondent's associate, Dr. Guminski, is now reportedly in charge of the controlled substance logs. They have been brought up to date and entries are being made in the dispensing log at the time drugs are dispensed.
6. Respondent further stated that all other potential violations have been corrected; the premises has been de-cluttered and is cleaned on a regular basis. They are now using stickers in the medical records to help ensure all information is being documented as required and a copy of discharge instructions are being added to the pet's file.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any